

REMARKS

Claims 1-2, 4-8, 13-18 and 21-27 are pending in the present application. Claims 4-6, 13, 15, 21 and 23-24 have been canceled. Claims 14, 16-18 and 25-27 have been withdrawn from consideration as directed to a non-elected species, but have been amended such that they are now dependent upon amended elected claims and should be rejoined upon allowance of such base claims. Independent claims 1 and 22 have been amended. In view of the amendments to the claims, Applicant respectfully requests that the rejection be withdrawn and the claims be allowed.

Claims 1, 2, 4, 5, 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/033830 A2 to Eshel ("Eshel") in view of JP 136803 to Takai ("Takai"). The rejection is respectfully traversed.

Claim 1 defines "[a] liquid dispensing device for use in the flush cistern of a water closet." Claim 1 recites "magnetically moving [a] displacement body from [a] first position to [a] second position to dispense a quantity of the liquid formulation from the reservoir via the outlet." Claim 1, as amended, recites that "the means for magnetically moving the displacement body includes a movable member substantially aligned with the displacement body." Claim 1 also recites that a displacement body includes "a first vertically oriented magnet," and a movable member includes "a second vertically oriented magnet." In addition, claim 1, as amended, recites that "the first vertically oriented magnet and the second vertically oriented magnet [are] configured to repel each other." Finally, claim 1 recites that "the displacement body has a density greater than the density of the liquid formulation such that it sinks, and the movable member is embedded in a plastics body which is less dense than the liquid formulation such that it floats."

Claim 1 has been amended to recite a first and second magnet configured to repel each other and to recite the density differentials of a displacement body and a movable member. The magnetic forces and the buoyancy forces between the first and second magnets are important features that enable the displacement body to be lifted and held at its upper position, as described in paragraphs [0066]-[0069] of the specification. This facilitates the pumping action which causes liquid to flow out of the outlet. *See* Specification at paragraph [0069].

The cited references do not teach or suggest the features of amended claim 1. Indeed, Eshel does not teach or suggest magnetic movement at all. Eshel merely describes a piston that is operatively, not magnetically, connected to the float to dispense the liquid formulation. *See* Figure 2B. Since Eshel does not teach the use of a magnetic force it does not teach or suggest a “displacement body comprising a first vertically oriented magnet and [a] movable member comprising a second vertically oriented magnet.”

Takai does not cure the deficiencies of Eshel with respect to claim 1. First, Takai does not teach or suggest a “displacement body comprising a first vertically oriented magnet” in which “the first vertically oriented magnet and the second vertically oriented magnet [are] configured to repel each other.” The Examiner (at page 3 of the Office Action) states that the piston 84c in Takai’s Figure 7 meets the displacement body of claim 1. Takai’s piston 84c, however, does not comprise “a first vertically oriented magnet,” as required by amended claim 1. Takai describes a repulsive force between a first magnet 81c provided to a lower cover 81 and a second magnet 83b provided to a second float 83. *See* Abstract. The piston 84c, however, is part of the upper cover 84. Magnets 81c and 83b are not part of piston 84c, let alone are

such magnets part of the upper cover 84. The upper cover 84 is equipped with a fifth magnet 84d. But magnet 84d merely makes the magnetic poles of the third and fourth magnets 83h and 83i heteropolar when magnet 84d is placed between both of those magnets. Even assuming, *arguendo*, that piston 84c includes magnet 84d, magnet 84d is horizontal relative to magnets 83h and 83i and does not repel against them. Magnet 84d merely makes the magnetic poles of magnets 83h and 83i heteropolar. Therefore, Takai does not teach a “displacement body comprising a first vertically oriented magnet,” in which “the first vertically oriented magnet and the second vertically oriented magnet [are] configured to repel each other.”

Additionally, neither Eshel nor Takai teaches or suggests that “the displacement body has a density greater than the density of the liquid formulation such that it sinks,” or that “the movable member is embedded in a plastics body which is less dense than the liquid formulation such that it floats.” These are important features because they enable the displacement body to be lifted and held at the upper position, which helps drive the pumping action causing liquid to flow out through the outlet, as described above. Eshel is silent as to the density of its float and piston. *See* Figure 2B. Nothing in Takai suggests these density differentials.

Applicant respectfully notes that the Examiner cited a foreign patent reference against the present application, but failed to provide an English-language translation of the relevant portions of the document. If a rejection over this reference is maintained, the Office should provide Applicant with such a translation. MPEP § 706.02 (II) (“If the document is in a language other than English and the examiner seeks to rely on that document, a translation must be obtained so that the record is clear as to the precise facts the examiner is relying upon in support of the rejection.”).

For at least these reasons, claim 1 is allowable over Eshel, and Takai does not remedy the deficiencies of Eshel with respect to claim 1. Claims 2, 7 and 8 depend from claim 1 or include similar limitations and are allowable for at least the same reasons that claim 1 is allowable.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/033830 A2 to Eshel ("Eshel") in view of JP 136803 to Takai ("Takai"), and further in view of U.S. Patent No. 3,023,426 to Neal ("Neal"). The rejection is respectfully traversed.

Claim 22 defines "[a] dispensing device comprising a strap for suspending the device in a toilet cistern." Claim 22, as amended, recites "a displacement body housing a magnetically movable piston in a piston chamber." Claim 22 has also been amended to recite a means "to magnetically move the displacement body to pump a quantity of liquid from the device," which "includes a movable member substantially aligned with the displacement body." Claim 22 also recites that a displacement body includes "a first vertically oriented magnet" and a movable member includes "a second vertically oriented magnet," which are "configured to repel each other." Finally, claim 22, as amended, recites that a "displacement body has a density greater than the density of the liquid such that it sinks," and that a "movable member is embedded in a plastics body which is less dense than the liquid such that it floats."

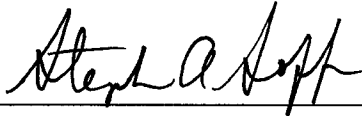
Claim 22 has similar limitations to claim 1. For similar reasons as discussed above in reference to claim 1, claim 22 is allowable over Eshel and Takai, and Neal fails to remedy the deficiencies of those references with respect to claim 22.

Among other things, Neal does not teach or suggest "a displacement body housing a magnetically movable piston in a piston chamber." Neal merely describes a dispenser adapted to be used in the water tank of a water closet for discharging liquid with a valve that is not magnetically movable. Col. 1, lines 19-50. Thus, Neal does not remedy the deficiencies of Eshel and Takai with respect to claim 22. Claim 22 is therefore allowable for similar reasons as discussed above in reference to claim 1.

In view of the above, Applicant believes the pending application is in condition for allowance.

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